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THE DECLARATION OF THE LORDS and COMMONS OF PARLIAMENT

Assembled at OXFORD according to
His MAJESTIES Proclamation,
Concerning their Endeavours since
they came thither for the PEACE of the
Kingdom, and the Reasons enforcing their
absence from Westminster:

CHARLES R.

Our expresse Pleasure is, That this Declaration of the Lords and Commons of Parliament assembled at Oxford, be read by the Parson, Vicar, or Curate, in every Church and Chappell within Our Kingdom of England and Dominion of Wales.

March. 19. 1643.

Printed by His MAJESTIES Command, at the
desire of the Lords and Commons of Parliament
Assembled at OXFORD,

By LEONARD LICHFIELD, Printer
to the University, 1643.

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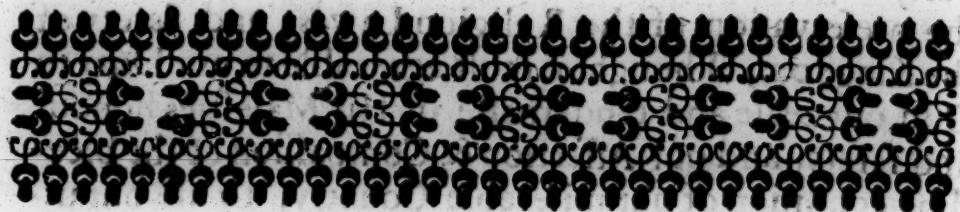
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THE
DECLARATION
 Of the Lords and Commons of Par-
 liament Assembled at OXFORD according
 to His MAJESTIES Proclamation, concern-
 ing their Endeavours since they came thither
 for the Peace of the Kingdome, and the
*Reasons enforcing their absence
 from Westminster.*



EE the Lords and Com-
 mons of Parliament, being
 upon just and important rea-
 sons absent from the City of
 Westminster, whither vhee
 were Legally called or sent
 by the Power and Authority
 of His Majesties Writ, when
 Hee summoned His Parlia-
 ment; And being by His gratioues Proclamation of the
 22^d day of January, Convened at Oxford, with full Li-
 berty

berty to present our humble advice to His Majesty, for the preservation of the Religion, Lawes, and Safety of the Kingdom, Thought it most agreeable to our Duty to God, our zeale and tendernes of His Majesties honour and safety, and our Affection & Compassion of the bleeding eondition of our miserable Country, to use our utmost and earliest endeavours, to prevent the effusion of more Christian English Blood, & to close those wounds, through which this Kingdom is in danger, in a short time, to languish even to desolation. And finding the ill successe which had attended all the Overtures of Treaty and Accommodation made by His Majesty; His Majesties most gratiouse Message from *Nottingham*, being with so much contempt rejected, which being sent by Members of both Houses, those Messengers were not suffered to deliver it, as Members, or to sit in the House whil'st the same was debated, contrary to the priviledge of Parliament; and that to the two last Messages, sent by him, of the twelfth of *April*, and nineteenth of *May*, (in both which are most gratiouse expressions of His Princely and passionate inclinations to Peace, as may appeare by those Messages herewith again reprinted,) there hath not been the least answer returned to His Majesty: but on the contrary His Messenger imprisoned and to this day detained; and an Order that on pain of Death none should presume to come thither from His Majesty, upon what businesse soever, without leave from the Earle of *Essex*; in pursuance of which Order, though the same passed only the Commons, a sworne Messenger of His Majesties hath been barbarously put to death, for carrying a Legall Writ to *London*; We thought any ~~addition~~ for Peace would most successfullie passe through His hands; and that

Alexander
Hampden.

Daniel
Knivetton.

that when we had considered how unhappily hee had beene made an Instrument of so much blood and devasta-
tion, he would with great cheerfulness have interposed in a businesse of reconciliation, and at least have met us halfe way in so blessed a Worke ; and therefore with His Majesties leave (which He most readily and gratiouly gave us, and for which we doubt not He shall receive the Thanks and Prayers of all His good Subjects) we di-
rect a Letter to that purpose to him, signed under our hands. Whosoever reads that Letter (and we hope it will be read by all men) will beare us witness (and it will be a Witness against those who have rejected it,) that we have done our parts. In stead of vouchsafing us any Answer, or proposing us any other way towards Peace, (if that which we Proposed was not thought con-
venient,) he writes a short Letter to the Earle of *Ferth*, Generall of His Majesties Army, acknowledging the re-
ceipt of ours, but saying, that it *neither having addresse to the two Houses of Parliament, nor therein there being any acknowledgement of them, he could not communicate it to them* ; Whereas the addresse was in the way prescribed, (prescribed under pain of death, no addresse being allow-
ed, as aforesaid, but by the Earle of *Essex*,) and he being desired to represent to, and promove with those by whom he is trusted, our most sincere and earnest desire of a Treaty; so that if there had been the least inclination to, or en-
during of an Overture of Peace, he might have as easily communicated it to all those by whom he is intrusted, as to a Committee, by whose Advice (tis well knownen) his Answer was sent, and with it, and as part of it, a Paper entituled, *The Declaration of the Kingdome of Scotland, and, A Declaration of the Kingdome of England and Scotland* ;

and another, *A Solemne League and Covenant* ; the Declarations and Covenant being against the King of both Kingdomes, without the content of, and against the Major part of the Nobility, and we are confident the Gentry and Commonalty of This. And if his Lordship would make good his own Letter, and spend His Bloud, or but use his endeavours for the maintenance of the Parliament of *England*, being indeed the foundation whereupon all Our Lawes and Liberties are supported, Wee should not Treat at this distance, at least a Treaty would not have been rejected. Wee suffered not Our Selves to be discouraged with this refusall, but a safe Conduct was desired for two Gentlemen (against whom there neither was or could be the least exception) to goe to *Westminster*, to present such Propositions as might best conduce to the Peace of the Kingdome ; conceiving, that by such meanes Our meaning and Intentions might best appeare, and all Formalities and unnecessary insisting and mistakes upon words might be removed. This safe Conduct (which hath never been denied by His Majesty, or His Generalls, to any person who hath desired to have admittance to Him,) was likewise absolutely refused by the Earle of *Essex*, yet with some expressions, *That if any Propositions should bee sent to those by whom he was intrusted, he would use his utmost endeavours to advance Peace* ; which though it seem'd nothing agreeable to his former Answers, obtained yet so much credit with Us, that We besought His Majesty once more, in His owne Royall Name, to presse and desire a Treaty, and to direct His Message under such a Title, *That they who call themselves the two Houses of Parliament could not take any exception*, but should be compelled to returne some

some answer or other. And an answer it hath drawne from them, but such an one as will sufficiently informe the World (if there could yet have remained any doubt of it) how much they are Enemies to Peace. Those Answers, Declarations, and that Covenant, are likewise publique to all men, God and the World must judge betweenus. In the mean time we must, without bitternesse or sharpnesse of Language, (to which neither example or provocation shall transport us) tell these men, That most of us are too well knowne, even to themselves, to be suspected to incline to be either Papists or Slaves, or that We can possibly be made instruments to advance either Popery or Tyranny. And since the defence of the Religion, Lawes, and Liberties of the Kingdome, feemes to be (and in truth is on our part) the Argument of this bloody Contention, and that we are endeavouring all wayes to destroy one another, in the behalfe of that we all doe, or all pretend to desire, We thinke our selves obliged to Truth, to the present Age and to Posterity, to let the world know, that as we are much more tender of the Religion, Lawes and Liberty of the Kingdome, then of our Lives and Fortunes; so the uneasie Condition wherin we are, and the heavy judgments and proscriptions imposed on us by our equalls, have proceeded, and been caused from that Conscience, Loyalty and Duty, in which we have been born and bred; and from which we could not swerve without the manifest breach of our Allegiance, and those civil Oaths we are obliged by; as we hope, will appeare to all men by this our easing Declaration.

We shall passe over (only acknowledging his Majesties abundant care and favour to His People) those excellent Lawes made this Parliament, for the vindication and removall

movall of those mischiefs and inconveniences, which seemed to threaten our Rights and Liberty, to all which there are very few amongst us who concurred not fully, (however we are now traduced with the negligence of both;) And that most gracious offer of His Majesty, to consent to an Act for the ease of tender Consciences in matters indifferent, which if it had been accepted, wculd have prevented many of the miseries have since befallen this poore Kingdom.

And because the name and Priviledge of Parliament is pretended in defence of those Actions, which are done contrary to the known Lawes, (by which only right and wrong can be measured and determined,) and by that venerable name many of our Companions and Friends have been led into unwarrantable Actions; before we come to consider the state and conditon of the Religion, Lawes and Liberty of the Kingdome by these distractions, we shall let the world know, how much the inherent and essentiall Priviledges of Parliament have bin violated; how we (being called by His Majesty, and trusted by our Country with their suffrages in that Councell) have been driven, and are now kept from the place whither we were first called by His Majesty, and where some Members still sit; And lastly, how farre this miserable, and (to say no more) this unjustifiable civil warre, and this desperate and odious Invitation of a Forreine Power to invade this Kingdome, is from having the Countenance, Authority and approbation of the two Houses of Parliament.

The great industry and ill Arts used by those who have since been Principall Instruments of the present Rebellion, to bring in persons of their Faction into the House of Commons; the admitting and receiving such who were neither

(3)

neither lawfully chosen, or lawfully returned by their Country, and the putting and keeping out others whose opinions were not liked; The reprehending, reproaching and imprisoning of Members for speaking freely according to their consciences in matters in debate; The Posting and setting up Mens names in publique places, and prescribing them as Enemies to their Country, who dissented in the Houses in opinion in matters debated; and being complained of, no reparation granted; the sitting at unparliamentary howres, thereby wearying and trying many Members from attendance, and so in a thinne House altering and reversing the resolution taken in a full House; The refusing to receive and suppressing Petitions against Persons in favour, though in point of Bribery and corruption in Judicatory; and the like of other Petitions from whole Countries, for the preservation of the Government of the Church, as from *Nottingham-shire* and *Somersetshire*, whilst others against it were received with great countenance and approbation, from meane, unknown People; The getting with great labour and Fact, on severall hands to Petitions from Countries, and then framing new Petitions at *London*, and annexing the hands formerly gotten in the Country to those Petitions, of which they who subscribed their hands know nothing, as in the Petition of *Buckingham-shire*, & the setting names in *London* to Petitions in the name of, as if they had bin subscribed in remore Countries; The usurping of Jurisdiction to supercede Acts of Parliament, & to dispense with the breach of Lawes in force; The suffering undutifull & disloyal language against the sacred person of the King, with out so much as Reprehension, and the denying His Majesties negative Voyce; We insist not so much (though very prejudicall

As in the case
of the late
Earle of Man-
chester Lord
Privy-Scale.

prejudicall and scandalous to the Priviledges and Honour of Parliament) as on those Acts of Force and Violence, which are contrary and destructive to the Freedome and Liberty of Parliament.

Shortly after, His Majesty returned from Scotland, there being a very long debate in the House of Commons concerning an unparliamentary Remonstrance to be published to the People of the state of the Kingdome, (which many of Us then thought might prove prejudicall to the Peace thereo;) Capraine Venne, then a Member of the House of Commons, (who had before bragged of having brought downe the People upon the two Houses, and so drawne Resolutions from them,) sent notes in writing under his hand into the City, that the People should come down to Westminster, for that *the better part of the House was like to be over-powered by the worser part;* whereupon both at that time, and some dayes after, Multitudes of the meanest sort of People, with weapons not agreeing with their condicione or custome, in a manner very contrary and destructive to the Priviledge of Parliament, filled up the way betweene both Houses, offering injuries both by words and actions to, and laying violent hands upon severall Members, proclaiming the names of severall of the Peeres, as *evill and rotten-hearted Lords,* crying out many houres together against the established Lawes, in a most tumultuous and menacing way. This action of Capraine Venne's was complained of to the House of Commons, and Witnesses offered to prove it; a Fellow who had assaulted and reproached a Member of the House of Commons in those Tumults was complained of, and shewed to the House, in the number of those who brought a Petition to the Barre; and yet in neither of these cases ^{view of the law} ^{justice} ^{was done}

Justice, or so much as an Examination could be obtained. Upon a suggestion and pretence of danger, and suit made to His Majesty, a Guard was allowed and appointed by Him for the security of both Houses: Shortly after, this Guard was refused and discharged by themselves, and a new Guard appointed by them without his Majesties consent, thereby to awe all those who concurred not with them. A legall Writ issuing out by the direction of the House of Peeres under the great Seale of *England*, to prevent those Tumults which daily infested both Houses the Justices of the Peace, for executing that Writ according to their Oaths, were imprisoned by the house of Commons. A Commission under the great Seale of *England*, for inquiry after Riots committed in *Southwarke*, was likewise superseded by an Order of the House of Commons; and when the Lords desired by severall Messages that the House of Commons would joyne with them in a Declaration against Tumults, they refused, or neglected to joyne with them, it being said by Master *Pym* in the House of Commons, *God forbid we should dishearten our friends who come to assist us*. And albeit some of the Lords professed, that if the people were againe drawne downe in that tumultuous manner, they would no more come to the House; and albeit an Order was made, that in such a case the House should be presently adjourned; yet those Tumults againe appearing, that Order, though urged by severall Lords, was not suffered to be executed.

The House of Commons having desired the House of Peers to joyne with them in desiring his Majesty, that the *Militia* of this Kingdome might be put into such hands as both Houses did confide in; and this desire having

been put to the Question, and carried negatively by much the major part of the Lords: It being again resumed at any other time (contrary to the course of Parliament) the debate was begun with a Declaration made by severall of those Lords, against whom that Question was twice carried by Votes, (and that by much the major part) that who soever refused in this particular to joyn with the House of Commons, were in their opinions Enemies to the State; words destructive from the Liberty and freedome of debate.

During the time that this busynesse of the Militie was in debate, (that is, before it had approbation and consent of the House of Peeres) a Petition in a tumultuous manner was delivered to the House of Lords, in the name of the Knights, Gentlemen, Freeholders, and others the Inhabitants of the County of Hertford, reckoning up the causes of the present Feares, Troubles and Distractiōns, and among them the want of Compliance in that honourable House with the House of Commons, in entertaining those many good motions, and passing those necessary Bills presented to them from that House, for the publique good; and desiring Liberty to protest against all those, as Enemies to the publique, who refused to joyn with the Honourable Lords, whose endeavours were for the publique good, and with the House of Commons, for the putting the Kingdome into a posture of safety, under the Command of such persons as the Parliament should appoint. Several Petitions of the same nature, particularly one under the title of the Knights, Gentlemen, Freeholders and other Inhabitants of the County of Surrey, directed to the Houle of Peeres, concluded with this close, That they should be in duty obliged to maintaine their Lordships so farre

farre as they should be united with the House of Commons in their just and pious proceedings ; sufficiently intimating, That if they joyned not with the House of Commons, they then meant as much as others had plainly professed. About the same time, a Citizen saying at the Barre of the House of Commons, That they heard there were Lords who refused to consent and concurre with them, and that they would gladly know their names, or words to that effect ; A Petition in the name of many thousand poore People, in and about the City of London, was directed to the House of Commons, taking notice of a malignant faction that made abortive all their good motions, which tended to the Peace and tranquillity of this Kingdome, desiring that those noble worthies of the House of Peeres, who concurred with them in their happy Votes, might be earnestly desired to joyn with that honourable House, and to sit and Vote together, as one entire body ; and professing, that unlesse some speedy remedy were taken for the removing all such obstructions, as hindred the happy progresse of their great endeavours, their Petitioners should not rest in quietesse, but should be forc'd to lay hold on the next Remedy which was at hand, to remove the disturbers of the Peace, and (want and necessity breaking the bounds of modesty) not to leave any meanes untried for their relief ; Lastly, adding that the cry of the Poore and needy was, that such Persons, who were the obstructions of their Peace, and the hinderers of the happy proceedings of this Parliament, might be forthwith publiquely declared, whose removall they conceived would put a Period to those distractions. And this Petition was brought up to the House of Lords, by the House of Commons at a Conference ; and after, the same day, Mr Hollis, a Member of the House of Commons, in a Message from that House,

pressed the Lords at their Barre to joyne with the house of Commons in their desire about the *Militia*; and farther with many other expressions of like nature desired in words to this effect, *That if that desire of the House of Commons were not assented unto, those Lords who were willing to concurre, would find some meanes to make themselves knowne, that it might be knowne who were against them, and they might make it knowne to those that sent them.* After which Petition so strangely framed, countenanced and seconded, many Lords thereupon withdrawing themselves, the Vote in order to the *Militia*, twice before rejected, was then passed.

After these and other unparliamentary Actions, many things rejected and settled upon solemne debate were a-
guing, after many Threats and Menaces, resumed, altered, and determined, contrary to the Custom and Lawes of Parliament. And so many of us withdrew our selves from thence, where we could not Sit, Speake and Vote, with Honour, Freedome, and Safety, and are now kept from thence for our duty and Loyalty to our Soveraigne. And though some of us Sate and continued there long after this, hoping that we might have been able to have prevented the growth and progresse of farther mischiefe; yet since the Priviledge of Parliament is so substantial and entire a Right, that as the Invasion of the Liberties of either House is an injury to the other, and the whole Kingdome; so the violence and assaults upon any of our fellow Members, for expressing their opinions in matters of debate, were instances to us, what we were to looke for when we should be knowne to dissent from what was expected; and under that consideration every one of our just Liberties suffered violation.

Many

Many of us having for these and other reasons, after his Majesty himselfe was by many indignities and force driven from ~~Westminster~~, have been, contrary to the right and freedome of Parliament, Voted out of the House, without committing any Crime, and some of us without hearing or so much as being summoned to be heard ; and so our Countries, for which we were, and are trusted, have beeone without any Proxies or Persons trusted on their behalfe ; an Army hath been raised without and against his Majesties Consent ; and a Protestation enjoyed to live and dye with the Earle of *Essex*, their General of that Army ; and a ~~member~~ now amongst us refusing to take that Protestation, was told, That if he left not the Towne speedily he should be committed to the Tower, or knocked on the head by the Soldiers. All Persons, even the Members of both houses, have been and now are forced, or enjoyned to conttribute for the maintainance and support of that Army ; A traiterous Covenant is since taken by the Members who remaine, and imposed upon the Kingdome, that they will to their power affit the Forces raised and continued by both Houses of Parliament, against the Forces raised by the King ; with many other Clauses, directly contrary to their Allegiance ; and another for the alteration of the Government of the Church established by Law. and such Members as have refused, according to their duty and conscience, to take those Covenants, have beeone imprisoned or expelled ; so as they have suffered none to reside with them, but those who are engaged with them in their desperate courses.

The whole Power and Authority of both Houses is delegated, against the Law and nature of Parliament, to a close Committee, which assumes and usurpes the power

of King, Lords and Commons, disposes of the Persons, Liberties and Estates of us and our fellow Subjects, without so much as communicating their Resolutions to those that sit in the Houses. And when an Order hath been reported to be confirmed by them it hath beene onely put to the Question, no debates being suffered, it having beene said in the House where the Commons sit, to those who have excepted against such an Order, when presented, *That they were onely to Vote, not to dispute*; and thercupon all Argument and contradiction hath beene taken away. And to shew how impossible it is to containe themselves within any bond of civility and humanity, when they have forfeited their Allegiance; after the attempt in a most barbarous maner to Murther the Queenes Majestie at Her landing at *Burlington*, by making many great shot at the house, where Shee lodged for Her repose after a long Voyage by Sea, where by Gods blessing it was disappointed, they impeached Her of high Treason, for assisting the King Her Husband, and the Kingdome in their greatest necessities. All Petitions and addresses for Peace have beeene, with great Art and vehemence, discountenanced and suppressed; whil'st others for sedition and discord have with no lesse Industry and passion beene promoted; And when the Members of the House of Commons in *August* last, had agreed upon a long and solemne debate to joyne with the Lords in sending Propositions of Peace to His Majesty, the next day Printed papers were scattered in the Streets, and fixt upon the publike places both in the City and Suburbes, requiring *all Persons well affected to rise as one man, and to come to the House of Commons next morning, for that 20000 Irish Rebels were landed* which direction and Information was likewise that day given

given in Pulpits by their seditious Preachers; and in some of those Papers were subscribed, *That the Malignant Party had over-voted the good, and if not prevented there would be Peace;* (the Propositions for Peace being the day before carried by nine and twenty voyces;) a common Council was called late at night, though Sunday, and a Petition there framed against Peace, which was the next morning brought to the House, countenanc'd by Alderman Pennington (a knowne Promoter and Governour of those Tumults,) and attended with a great multitude of meane Persons, who used Threats, Menaces and Reproaches to the Members of both Houses; their Petition took notice of *Propositions passed by the Lords for Peace, which if allowed, would be destructive to Religion, Lawes and Liberties;* and therefore desired an Ordinance according to the Tenor of an Act of their common Council the night before; Thankes was given them by the Commons, whil'st the Lords complained of the Tumults, and desired a concurrence to suppress them, and to prevent the like, many of the People telling the Members of both Houses, *That if they had not a good answer they would be there the next day with double the number.* By these Threats and violence, the Propositions formerly received were rejected, and all thoughts of Peace laid aside; Shortly after, great numbers of women resort to the House where the Commons sate, with a Petition for Peace; Troopes of Horse were hereupon sent for, who wound and kill severall of the women, and disperse the rest; then speciall notice was taken of those Members who seemed most importunate and desirous of Peace; and thereupon the late Covenant eagerly & severely pressed upon them. By reason whereof, and the other miscarriages, whereby the freedome

was absolutely taken from them, divers of both Houses withdrew themselves.

And we must now appeale to al our fellow Subjects of this Kingdome, who have taken the Oathes of Allegiance and Supremacy, who have any knowledge of the Rights, Customes and Priviledges of Parliament, or of the frame and Constitution of this Realme, whether we or they have failed in our duty to our King or Countrey; and whether we have not, in discharge of a good Conscience, undergone the evils we have borne. And then we doubt not, we shal not be thought lesse Members of Parliament, though we are not at *Westminster*, then if that City were in the possession of a Forraigne Enemy; yet we confesse the place to be so material, that if there were that Liberty and freedome which is due to the Members, and indeed is the life of Parliament, the Act of those in the House (being a lawfull Act) is the Act of the House, though there were a greater number absent, al who were of another opinion: but in our case, when we are by force driven away, and by force kept away, and when nothing can be said to justifie the Actions which are done, but the Reputation and number of the Actors, we relie so much upon the understanding & honesty of our Countrey-men, that they wil beleeve, when they see our concurrence, and unanimity in Resolutions and Counsell for their Peace, welfare and security, (as wee are confident the number of those who concurre in this Declaration, is greater then hath cōcurred in most, if not in any of those things of which we complaine,) that it will be better for them to be advised by Vs at *Oxford*, then by those at *Westminster*; from whence we are absent onely by reason of those outrages and violence offered to our Persons or our Consciences,

Consciencies, which takes away all freedome, and consequently all authority from those Councells; and where indeed these men ought not to undertake to act any thing, till that freedome and liberty be restored to us, who as long as this Parliament shal continue (notwithstanding all the Votes of those who are guilty of Treason and Rebellion) must account our selves, and shal be accounted by our Countrey, the true and lawfull Members of Parliament.

an attempt upon His life is not High Treason, which doctrine is so much countenanced; that Persons, who have threatened to Kill the King, having been complained of, have been left unpunished, and the Witnesses and Prosecutors threatened or discountenanced; The raising an Army against Him, and therewith giving Battell to His Person; All which are known to be very unagreeable with the Affection, Duty and Loyalty of Subjects, and Englishmen.

Concerning Religion, We cannot but with bleeding hearts, and trembling soules consider the unheard of Impieties and Profanations exercised in Churches, and Consecrated places, the Countenance and license given to scandalous, deboll, ignorant Lay-persons to Preach, and exercise the Office of the Ministry; the suppressing and cruell using and imprisoning in Goales and on Ship-board, Godly, Learned, Orthodox Divines, famous and exemplar in their lives and Doctrine, the most eminent Assertors of the Protestant Religion, against Popery and Innovations; The scurrilous and scandalous Reviling, scoffing and suppressing the Book of Common Prayer, compiled by glorious Martyrs for the Protestant Religion established by Law; and so long, and so publickely used, and acknowledged as an excellent and unparalleld forme of Devotion and Divine service; The suspending the execution of the Act of Parliament made in the first yeare of Queen Elizabeth of famous memory, for uniformity of Common-Prayer, by an Order under the hand of a private Member of the House of Commons; and that during the recess of both Houses, the stirring up and inciting the People to Rebellion in Pulpies; and (which is the greatest scandal and reproach to the Protestant Religion

gion that can be imagined) the making Religion it selfe the ground and cause of Rebellion; Lastly, after having lived so many yeares in the most glorious, and most unblemished Church of Christendome, the totall defacing and pulling downe the whole Fabrick of it; censuring and reproaching the Doctrine, and destroying the discipline; and as if we were cast a shore in some uninhabited Climate, where the Elements of Christianity were not known. The calling, without the least shadow of colour of Law, or Lawfull Authority, against His Majesties expresse Consent, manifestly against the Statute of 25th year of King *Henry* the eight, *an Assembly of Divines*, composed of some Noblemen, Gentlemen, and Ministers, (all under the stile of Godly and Learned Divines) most of which are not otherwise known, then by their Schisme & separation from that Church, in which they were borne, and to which they have subscribed; and these men now must new make and mould the Religion, by which we must all be saved. God in his good time we hope will vindicate his own cause, and repaire the breaches which have been lately made.

For the Lawes of the Land, and the Liberty of the Subject, so speciously urged and pretended to be the end of those who have disturbed our Peace, We need say little; Every place and every person is an ample evidence & testimony of the bold and avowed violation of either. The Charter of our Liberties *Magna Charta*, so industriously and Religiously preserved by our Ancestors, and above Thirty severall times confirmed in Parliament, that Ram pier and Bulwark of all the pretious Priviledges and Immunitiess which the Subjects of this Kingdom could boast of, and which distinguishes them from all the Subjects of

Christendom, is levelled and Trampled underfoot, scor-
ned, despised and superseded by Votes and Orders ; Men
of all sorts, Clergy and Laity, imprisoned without the
least charge that by the Law is called a Crime, and their
Estates are sequestered by persons of whom the Law can
take no notice ; Committees made by Committees, Rob,
Banish, and Imprison the Lords and Commons of Eng-
land ; Men committed by persons of no Authority, for no
cause, to Prison, have by *Habeas Corpus* (the good old
Remedy and Security for our Liberty) been brought to
the *Kings Bench*, and by Command of those who first
Committed them remanded, & Commands given to the
Judges that they should grant no *Habeas Corpus* (which
they were sworn to grant) to any Persons committed by
them, or by those to whom they grant Authority to com-
mit, which themselves have not power to doe. Neither
can we passe over the motion made by Mr *Rigby*, a Mem-
ber of the House of Commons, to transport those Lords
and Gentlemen who were Prisoners, and by them accoun-
ted Malignants, to be sold as Slaves to *Argiers*, or sent to
the new Plantation in the West Indies, urged the second
time with much earnestnesse, because the Proposer had
contracted with two Merchants to that purpose ; the
which though it took no effect at that time, may awaken
those who have observed so many things to passe and be
ordered, long after it hath been once or twice denied and
rejected. And who sees the new and inhumane way of
imprisoning Persons of Quality under decks on Ship-
board, by which cruel usage, many of our Country men
have been murthered, may have reason to fear they may
be hereafter carried a longer voyage then is yet avowed.
The twentieth part of our Estates is at once taken, & if we
are

are not willing to obey that Order, the other Nineteen are taken from us as Malignants, a terme unknown and undefined, and yet crime enough to forfeit our lives, and all that we have. Our fellow Subjects have been executed in cold blood, for doing that which by the Lawes of God and Man they were bound to do; and after their Murther, their estates seised, and their Wives and Children exposed to misery and famine. Lawes made, and Penalties imposed by Laws this Parliament, are suspended, dispensed withall, & those things done by Order, against which those Lawes were made. And that there may be no face of Iustice over the Land, the Judges are prohibited to ride their Circuits, for the administration of that Iustice which the King owes *His People*, and they are bound to execute. And after all this, and after the mercilesse shedding so much English blood, after the expending so much money, (much of which was given for relief of our poor Protestant Brethren of Ireland, and diverted for the improving the distractions at home,) after the transportation of such vast summes of money, and great Treasure into Forreigne Parts, to the unspeakable impoverishing this poore Kingdome; To make our misery lasting and our Confusion compleat, a Forreigne enemy is invited and brought into the Bowells of this Kingdome, to drinke our blood, to divide our Possession, to give us new Lawes, and to Rule over us; and the better to make way to those horrid Impositions, by confounding and making void all civill Rights and Proprieties, and the better preparing the Kingdome to be shared by strangers, a New Great Seale (the speciall ensigne of Monarchy, and the onely way by which Justice is derived and distributed to the People) is counterfeited

M. Teomans
and M. Bou-
cheir of Bri-
stoll.

M. Tompkins
M. Challoner
at London, and
divers others.

terfeited and used , albeit it be by the expresse letter of the Statute of the 25. yeare of King *Edward* the third, declared to be *High Treason*.

Having now made this cleare, plain Narration to the Kingdom, (the truth and particulars whereof are known to most men) that when Posterity shall find our names in the Records of these times , as Members trusted by our Countrey in that great Councel, by whose authority and power the present alteration and distraction seems to be wrought, It may likewise see how far we have been and are from consenting to these desperate and fatall Innovations; we cannot rest satisfied without Declaring and publishing to all our fellow Subjects & to the whole World, That all our Intentions and Actions have been, are, and shal be directed to the defence of *His Majesties Person* & just Rights; the preservation of the true Protestant Religion, & Liberties of the Kingdom established by Law; That as we do with all humility to God Almighty, and as a great blessing from him, acknowledge *His Majesties happy and Religious Reigne and Government* over this Kingdom, and especially the excellent Lawes, and Statutes made in *His time*, and particularly those in this Parliament; so we doe with all duty and submission Declare, That *His Majesty* is the only supream Governour of this Realme in all causes Ecclesiastical and Temporal; That *His natural Person* is not to be divided from *His Kingly Office*, but that our natural Allegiance, & the Oathes of Allegiance and Supremacy, do binde us and all *His other Subjects*, to Loyalty and Allegiance, to *His natural Person*; That *His Majesties Negative Voyce* (without which Monarchy is dissolved) is an inherent Right of *His Crowne*, and that no Orders of one or both *Houses of Parliament*

Parliament, without His Majesties expresse consent, can make a Law to bind the Subjects, either in their Property or Liberty; That we doe from our soules abhorre the present Rebellion raised in this Kingdom against His Majestie, and that all His Majesties Subjects are bound by their naturall Allegiance, and the Oathes Lawfully taken by them, to the utmost of their power, to resist and repress the same; and particularly the Army now under the Command of the Earle of *Essex*, and all other Armies raised, or to be raised without His Majesties consent, under pretence of the two Houses of Parliament. And we doe disclaime all Votes, Orders & Declarations in Countenance or maintenance of the said Armies, And Declare, That no Oath or Covenant voluntarily taken, or informed, doth, or can bind or dispence with the breach of those other Oathes formerly and Lawfully taken to His Majesty. And that all those who ayde, assist, or abet this horrid and odious Rebellion, are, and ought to be accounted and pursued as Traitors, by the known Lawes of the Land; That we utterly detest and disclaime the Invitation which hath been made to His Majesties Subjects of *Scotland* to enter this Kingdom with an Army, the same being as much against the desires, as against the duty of the Lords and Commons of *England*, and all true hearted Englishmen; And we doe declare and publish to the world, That as any such Invasion, or hostile entry into the Kindom by the Rebellious Subjects of *Scotland*, is a direct and peremptory breach of the late *Act of Parification* between the two Kingdoms; so that we, and all the Subjects of this Kingdom are bound by our Allegiance, and by that very Act to resist and repress such Invasion; and whosoever is or shall be abetting, aiding or assisting to

those of *Scotland*, in their hostile Invasion of this Kingdome, ought to be looked upon as betrayers of their Country, and are guilty of High Treason by the known Lawes of the Kingdom.

And that our weak misled and seduced Country-men, may no longer pay any implicite regard and reverence to the abused name of Parliament, (which these guilty Persons usurpe to themselves) and so submit to those Actions and Commands, which two Houses of Parliament (never so legally and regularly constituted) have not authority to require or enjoyne ; and since these men will not suffer their poor Country to be restored by a Treaty to the benefit of a Parliament, which would with Gods blessing easily remove these miseries, and prevent the like for the time to come; We must and doe declare to the whole Kingdom, That as at no time either or both Houses of Parliament, can by any Orders or Ordinances impose upon the People without the Kings consent ; so by reason of the want of Freedom and Security for all the Members of Parliament to meet at *Westminster*, and there to Sit, Speak and Vote with Freedom and safety , all the Actions, Votes, Orders, Declarations, and pretended Ordinances, made by those Members who remain still at *Westminster*, are void & of none effect; And that as many of the Lords and Commons Assembled at *Westminster*, as have at any time consented to the raising of Forces under the Command of the Earle of *Essex*, or to the making and using of the new Great-Seale, or to the present coming of the *Scots* into *England* in a warlike manner, have theirin broken the trust reposed in them by their Country , and are to be proceeded against as Traitors. And yet we are farre from dissolving or attempting the dissolution of this Parliament,

liament, or the violation of any Act made and Confirmed by His Majesties Royall Assent this Parliament, which we shall alwayes maintain & defend: Acts of Parliament are onely in danger to be destroyed by those who undervalue and despite the Authority and Power of Acts of Parliament, who therefore deny the Kings Negative Voyce, and neglect His Concurrence, that their own Resolutions may be reputed as Acts of Parliament, to the Ruine and Confusion of all Lawes and interest. It is our grieve in the behalfe of the whole Kingdom, that since the Parliament is not dissolved, the power thereof should, by the Treason and violence of these Men, be so farre suspended, that the Kingdom should be without the fruit and benefit of a Parliament, which cannot be reduced to any Action or Authority, till the Freedom and Liberty due to the Members be restored and admitted; and they who oppose this, must be only looked upon as the Enemies to Parliament: in the mean time we neither have or shal attempt any thing for the adjourning, dissolving or proroguing thereof, otherwise, then as it may stand with the Act in that case provided.

Lastly we declare, That our endeavours, actions, & resolutions tend, and are directed, and shall alwayes be directed, to the maintenance of Gods true Religion, established by Law within this Kingdome; to the defence of His Majesties sacred Person, His Honour and just Rights to the preservation of the Liberty and Property of the Subject, settled, and evident by the Lawes, Statutes and Customes of the Realme; and the just freedome, Liberty and Priviledge of Parliament; and that what we shall do for the defence and maintainance of all these, proceeds from the conscience of our duty to God, our King and

Countrey, without any private and sinister ends of our owne, and out of our sincere love to truth and Peace, the which as we have, so we shall alwayes labour to procure, as the onely blessed end of all our labours. And we doe therefore conjure all our Country-men and fellow Subjects, by all those precious obligations of Religion to God Almighty, of Loyalty towards their Soveraigne, of affection towards one another, and of charity and compassion towards their bleeding Countrey, to assist and joyne with us in the suppressing those Enemies to Peace, who are so much delighted with the ruine and confusion they have made, that they will not so much as vouchsafe to treat with us, that all spurious pretences might be taken away, and the grounds of this bloody Contentions clearly stated to the World. If these men, with a true sense and remorse of the ill they have done, shall yet returne to their duty and loyalty, they shall (God willing) find us of another temper towards them, then they have been towards us; and if the conscience of their duty shall not draw all our fellow Subjects and Country-men to joyne with us in ~~giving~~ His Majesty, we hope that the prudent consideration (that 'tis impossible to reason, for our miserable Country ever to be restored to Peace and happiness, but by restoring all just and legally due power and authority into His Majesties Hands againe,) will direct them what is fit to be done by them. And if any yet shall be so unskilfull, and to say no worse, vulgar spirited, to hope by a Neutrality and odious indifferency, to rest secure in this storme, though we shall not follow the examples of other men, in telling them, That their Estates shall be forfeited and taken from them, as pernicious and publique Enemies, (God be thanked) the Law is not so supprest

supprest, but that it proceeds in Attainders and Forfeitures, and all men know an Estate Escheated to His Majesty by high Treason, is as much, as legally His Majesties, or his to whom His Majesty grants it, as ever it was the unhappy Persons who hath so forfeited it ;) yet we must let them know, that their condition is like to be very dangerous ; and that as they (for resistance of whom His Majesties Armies are raised) have declared to them what they are to expect at their hands, that is, to be dealt with as pernicious and publique Enemies ; So they have reason to beleeve, that His Majesty cannot looke upon them as Persons who have performed that duty they are obliged by their naturall Allegiance, and their Oathes enjoyed by Law, which is, *to defend the King to the utmost of their Power, against all conspiracies and attempts whatsoever, which shall be made against His Majesties Person, His Crowne and Dignity ; and to doe their best endeavours to disclose and make knowne to Him all Treasons and Conspiracies which shall be against Him ; to their power to assist all Jurisdictions, Priviledges, Preheminences and Authorities belonging to Him, or united to the Imperiall Crowne of this Reulme.* The just and pious consideration and weighing of which Oath and obligation, must stirre up all men of Loyalty and Conscience, to be industrious and active on His Majesties behalfe against this horrid and odious Rebellion, and against the Authors and Fomenters of the same. And we are confident it will not a little encrease the Indignation of all good true Englishmen, to find these disturbers of their Peace, who have so speciously pretended the defence of the Rights and Priviledges of Parliament, unite themselves with, and governe their Actions by the concurrent advice and consent of Commissioners

of another Kingdome, whose businesse is to alter our Lawes, and confound our Government. And if all the other particulars so plainly set down in this Declaration, and so publickly knowne to most men, were wanting, there could not be a greater instance of deserting the Dignity and Right, and as much as in them lyes, cancelling all the Liberties and Priviledges of Parliament, then for these men to breake the trust reposed in them by their Countrey, and to submit themselves to the advice, and oblige themselves to the consent of Agents of another Kingdome, who have cast off their Allegiance, and united themselves together against their naturall and native King, and against the Lawes of both Kingdomes, and have given an ample testimony to all those they have misled, how farre they are from submitting or intending to be governed by Parliament, or by those who would yet be thought the two Houses of Parliament, by joyning foure Scotchmen (Agents for that Rebellious Army which hath invaded this Kingdome) in equall power and authority with seven Lords and foureteen Commons, by whose sole and uncontrolled managery and consent, all businesse of Peace and Warre, which do or may concerne this languishing Kingdome, must be governed. And yet these men take it very Hainously, that His Majesty should move them in order to Peace, to agree that all the Members of both Houses may securely meet in a full and free Convention of Parliament; because (they say) from thence no other conclusion can be made, But that this present Parliament is not a full nor free Convention, and that to make it such the presence of us is necessary. We must appeale to all the World, whether in truth that conclusion be not very apparent from the truth of their proceedings, and even to the

the Consciences of these men themselves; whether whilst we were amongst them, we enjoyed that liberty and freedome which was due to us; and whether (if there were no danger or breach of duty in being willingly and constantly present where Actions of Treason are Plotred and concluded) we could now be with them without engageing our selves in that Covenant, which as it takes away all freedome and liberty of Councell, so can not be taken without the violation of our duty and Allegiance. For the deserting the great trust repos'd in us, we cannot with the least colour be accused; we wish it had not been, or were not now broken on their parts, on ours we are sure it is not; except observation of our Oathes lawfully taken and enjoyned, and submission to the known established Laws of the Land, the preservation of which is our greatest trust be to desert the Trust repos'd in us: What they have done, who have broken through all these, and will not at last consent to the binding up the wounds they have made, we must leave to the world to judge. In the mean time, since 'tis apparant they use their utmost endeavours to make Peace impossible, and (having enriched themselves by these publique Calamities, and impoverished their Country by the transportation of the wealth thereof into Forraigne Parts) have left themselves no other meanes to repay those vast Summes they have extorted from the People upon that they call *Publique Faith*, but out of the Estates of those who have preserved their duty and Loyalty entire, and at the prize of their Religion and Lawes intend to establish a Government and Empire to themselves, all good men who desire Peace will joyne with us in the suppressing these Enemies of Peace, and by a Resolute and unanimous Declaration

of themselves, rise as one Man in the assistance of His Majesty, with their Persons and their Fortunes, which is the onely meanes, with Gods blessing, to restore and preserve the Religion, Lawes and Liberties of the Kingdome, and the very being of Parliaments ; the which if these men have any minde to doe (it being not so easily to be done any other way) they will at last be willing, that all the Members of both Houses may meet in a full and free Convention of Parliament, which we have always desired, and shall be always ready to doe.

original of the before-mentioned letter to the Earl of



the Earl of Shrewsbury, which was written in the month of

HIS MAJESTIES MESSAGE TO BOTH

Houses, April 12. 1643.

CONCERNING DISBANDING of both Armies, and His MAJESTIES returne to both Houses of Parliament.

On show to the whole World how earnestly His Majesty longs for Peace, and that no successe shall make him desire the continuall of His Army to any other end, or for any longer time then that, and until things may be so settled, as that the Law may have a full, free, and uninterrupted course, for the defence and preservation of the Rights of His Majesty, both Houses, and His good Subjects. As soon as His Majesty is satisfied in His first Proposition concerning His own Revenue, Magazines, Ships, and Forts, in which He desires nothing but that the Just, Known, Legall Rights

of His Majesty (devolved to Him from His progenitors) and of the Persons trusted by Him, which hath violently been taken from both, be restored unto Him and unto them, unlesse any Just and Legal exceptions against any of the Persons trusted by Him (which are yet unknown to His Majesty) can be made appeare to Him.

2. As soon as all the Members of both Houses shall be restored to the same capacity of sitting and Voting in Parliament, as they had upon the first of January, 1641, the same of right belonging unto them by their birth-Rights, and the free Election of those that sent them, and having been Voted unto them for adhering to His Majesty in these distractions. His Majesty notwithstanding that this should extend either to the shrops, whose Votes have been taken away by Bill, or to such in whose places upon new Writs new Elections have been made. And as soon as His Majesty and both Houses may be secured from such tumultuous Assemblies, as to the great breach of the Party ledges, & the high dissension of Parliaments, have formerly assembled about both Houses, and about the Members of the same, and occasioned two severall complaints from the Lords House, that

two several desires of that House to the House of Commons, to joyne in a Declaration against them, the complying with which desire, might have prevented all these miserable distractions which have ensued. Which security His Majesty conceives can be only settled by adjourning the Parliament to some other place, at the least twenty miles from London, the choice of which His Majesty leaves to both Houses.

His Majesty will most cheerfully and readily consent that both Armies be immediatly disbanded, and give a present meeting to both His houses of Parliament at the time and place, at and to which the Parliament shall be agreed to be adjourned.

His Majesty being most confident, that the Law will then recover the due credit and estimation, and that upon a free debate in a full and peaceable convention of Parliament, such provisions will be made against seditious Preaching and Printing against His Majesty, and the established Laws, which hath been one of the chief causes of the present distractions; and such care will be taken concerning the Legall and known Rights of His Majesty, and the Property and Liberty

berty of his Subjects, that whatsoever hath been published or done in or by colour of any illegal Declaration, Ordinance, or Order of one or both Houses, or any Committee of either of them, & particularly the power to raise Armes without His Majesties consent, will be in such manner recalled, disclaimed and provided against, that no seed will remain for the like to spring out of for the future, to disturbance the Peace of the Kingdome, and to endanger the very being of it.

And in such a convention His Majesty is resolved by his readinesse to Consent to whatsoever shall be proposed to Him by Bill for the Reall good of His Subjects, (and particularly for the better discovery and speedier conviction of Recusants, for the Education of the Children of Papists by Protestants in the Protestant Religion, for the prevention of practices of Papists against the State, and the due execution of the Lawes, and true levying of the penalties against them) to make known to all the World, how causelesse those feares and jealousies have been, which have been raised against him; and by that so distracted this miserable Kingdome. And if this offer of his Majesty be not consented to, (in which he askes nothing for which there is not appa-

apparant Justice on His side, and in which he deferres many things highly concerning both Himself and People, till a full and Peaceable Convention Parliament, of which in Justice he might now require) His Majesty is confident that it will then appeare to all the World, not only who is most desirous of Peace, and whose fault it is that both Armies are not now disbanded, but who have been the true and first cause that this Peace was ever interrupted, or these Armies raised; and the beginning or continuance of the Warre, and the destruction and desolation of this poor Kingdom (which is too likely to ensue) will not, by the most interested, passionate, or prejudicte Person, be imputed to His Majesty.

Apologized before God & Mary from the less before
Houses His Majestys wife well believe Hitherto
s. Hill Mount) situated on Albany from poor
in blue pearl buttons (say in the middle (spare
in fashion) except a better and better to see
list public distinctions by a full and free convention
Counting of the people present in
according to the Amuris and
to Oerme for the immemorial



HIS MAJESTIES MISSES AGT. BOT.

THE JAMES SAGE TO BOTH

Houses, May 19, in pursuance
 of the foregoing Message.

IN C E His Majesties Message of
the twelfth of Aprill (in which
He conceived He had made such
an Overture for the immediat
disbanding of all Armies, and
Composure of these present mi-

serable distractions, by a ful and free convention in Parliament, that a perfect and settled Peace would have ensued) hath in all this time (above a full Moneth) procured no Answer from both Houses, His Majesty might well believe Himself absolved before God & Man, from the least possible

sible Charge of not having used His utmost endeavour for Peace; yet when He considers that the Scene of all this Calamity is in the bowels of His own Kingdom, that all the Blood which is spilt is of His own Subjects, & that what victory soever it shal please God to give him, must be over those who ought not to have lifted up their hands against him, When he considers that these desperate civill Dissentions may encourage and invite a forraign Enemy to make a Prey of the whole Nation; That Ireland is in present danger to be totally lost; That the heavy judgements of God, Plague, Pestilence and Famine, will be the inevitable Attendants of this unnaturall Contention; And that in a slixt time, there wil be so generall a habite of uncharitableness and Cruelty contraieted throughout the Kingdome, that even Peace it selfe will not restore His people to their old Temper and Security; this Majesty cannot but againe call for an Answer to that his Message, which gives so fair a Rise, to end these unnaturall Distractions. And his Majesty doth this with the more earnestnesse, because He doubts not the condition of his Armies in severall parts, his strength of horse, Foot and Artillery, his Plenty

of Ammunition (which some men lately might conceive he wanted) is so well knowne & understood, that it must be confessed, that nothing but the tendernes and Love to His People, & those Christian Impressions which alwayes have, and He hopes alwayes shall dwell in His heart, could move Him once more to hazard a refusall. And He requires them as they will answer to God, to Himselfe, and all the World, That they will no longer suffer their fellow Subjects to wester in each others Blood; That they will remember by whose Authority, & to what end they met in that Councel, and send such an Answer to His Majestie as may open a Doore to let in a firme Peace and Security to the whole Kingdom. If His Majestie shall again be disappointed of His Intentions herein, the Blood, Rapine, and Distraction, which must follow in England and Ireland, will be cast upon the Accompt of those who are deaf to the motion of Peace and Accommodation.

F **I** **N** **T** **S**.